

REMARKS

Claim 1 has been amended to incorporate the limitations of claim 3, which has been cancelled, and also to specify that the thin film photovoltaic layer, the thin film source of illumination and the electrical circuitry all are flexible and that the device is flexible. Claims 2 and 3 have been cancelled. As noted in Applicant's specification, page 3, making the device flexible permits one to take advantage of large volume manufacturing processes such as roll-to-roll lamination or sheet lamination techniques permitting economic manufacture. Making the device flexible also permits one to apply the device directly from a roll.

In rejecting the claims as obvious from Murasko et al. in view of Yamamura and Curtin, the Examiner acknowledges the primary reference Murasko et al. fails to explicitly teach a removable covering over the adhesive and also fails to teach a thin film solar cell overlying the thin film battery. However, the Examiner takes the position that this missing teaching is supplied by Curtin.

Actually, as noted in Applicant's previous Amendment, incorporated herein by reference, the primary reference Murasko et al. teaches an assembly in which a photocell 208 and a thin film battery 204 are formed adjacent to one another on a substrate. Thus, Murasko et al. has a disadvantage in requiring additional real estate as compared to Applicant's claimed invention which specifies, in independent claim 1, that the thin film photovoltaic layer overlies the thin film battery layer.

Applicant's claimed invention has other distinguishing features. In Applicant's claimed invention, each of the layers is flexible. As noted supra and on page 3 of Applicant's specification, this permits Applicant to take advantage of large volume manufacturing processes such as roll-to-roll lamination or sheet lamination techniques, thus providing

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Applicant with an economic advantage. This also permits Applicant to apply the device directly from a roll. This also is economically advantageous. On the other hand, the primary reference Murasko et al. teaches substrates 102 that are substantially rigid materials, i.e. glass, plexi-glass, polycarbonate, aluminum and cardboard.

The secondary reference Curtin does not supply the missing teachings to Murasko et al. to achieve or render obvious claim 1 or any of the claims dependent thereon. Curtin merely teaches a thin film photovoltaic cell. However, Curtin doesn't have batteries.

The newly applied Japanese Patent to Yamamura also fails to supply the missing teachings to Murasko et al. alone or in combination with the Curtin, to achieve or render obvious Applicant's claimed invention. The Examiner cites Yamamura as teaching reduction in a number of parts of a laminated solar battery device by disposing a charged storage device (a capacitor) on the non-light receiving surface of a thin film solar cell assembly. However, Yamamura also is not flexible – see thick substrate 11.

In the rejection, the Examiner has cherry picked from the three applied references to make out a case for obviousness. For example, the Examiner cites Curtin as teaching a removable backing on an adhesive layer, and is acknowledged as so teaching. However, Applicant does not claim to have invented a solar powered device with an adhesive with a removable covering per se. Similarly, and with respect to claim 16, the Examiner cites Curtin as teaching the use of a clear adhesive. Again, Applicant does not claim to have invented per se the use of a clear adhesive on a solar powered device. Finally, and with regard to Yamamura the Examiner takes the position it would be obvious to one of ordinary skill in the art to modify Murasko et al. by disposing a thin film charge storage device on the non-light receiving surface of a thin film solar cell. However, as noted supra, Yamamura is quite different in that

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Yamamura is rigid and does not include a flexible thin film battery layer as required by Applicant's claimed invention. Accordingly, no combination of the applied art reasonably could be said to achieve or render obvious claim 1 or the several claims which depend directly or indirectly on claim 1.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. The foregoing amendment notes no claim changes that would require a further search. Thus, entry of the Amendment, and allowance of the application are respectfully requested. Early and favorable action is respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

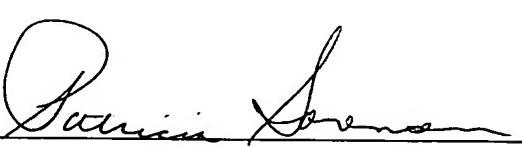
Respectfully submitted,



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